

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

JAMES K. FORD,

Plaintiff,

V.

THE STATE OF NEW JERSEY,
et al.,

Defendants.

Civil Action No. 12-4534 (FLW)

MEMORANDUM OPINION

IT APPEARING THAT:

1. On August 7, 2012, this Court entered an Opinion and Order (docket entry nos. 2 & 3) to deny Plaintiff's request to proceed in forma pauperis and to administratively terminate the matter.
2. On August 9, 2012, the Clerk of the Court received for filing from Plaintiff a Motion for Judgment on the Pleadings (docket entry no. 4).
3. Plaintiff's motion does not appear to be a response to Opinion and Order of August 7, 2012, nor has Plaintiff cured the defects of his initial filing.
4. Since this case is currently administratively terminated and does not have an active docket, Plaintiff's motion is moot.
5. As noted in the Court's initial opinion, while Plaintiff James K. Ford mentioned his brother Elijah D. Ford in the initial filing, Elijah D. Ford is not listed in the caption

of the Complaint. Further, Elijah D. Ford did not pay the filing fee or make a request to proceed in forma pauperis. However, given this subsequent filing, it appears that Plaintiff James K. Ford intends for his brother Elijah D. Ford to be a named Plaintiff in this matter. However, Elijah D. Ford has not made any request to proceed in forma pauperis on his own behalf. The Prison Litigation Reform Act of 1995, Pub. L. No. 104-134, 110 Stat. 1321 (April 26, 1996) (the "PLRA"), which amends 28 U.S.C. § 1915, establishes certain financial requirements for prisoners who are attempting to bring a civil action or file an appeal in forma pauperis. Under the PLRA, a prisoner bringing a civil action in forma pauperis must submit an affidavit, including a statement of all assets, which states that the prisoner is unable to pay the fee. 28 U.S.C. § 1915(a)(1). See Hagan v. Rogers, 570 F.3d 146 (3d Cir. 2009) (litigants proceeding as joint plaintiffs are subject to \$350.00 assessment each if they proceed in forma pauperis).

6. To the extent that Elijah D. Ford intends to be a party to this litigation, his application to proceed in forma pauperis shall be denied.

It is on this 4th day of September, 2012,

ORDERED that the Clerk shall reopen this matter by making a new and separate entry on the docket reading "CIVIL CASE REOPENED"; and it is further

ORDERED that Plaintiff's Motion for Judgment on the Pleadings (docket entry no. 4) is deemed moot; and it is further

ORDERED that, to the to the extent that Elijah D. Ford intends to be a party to this litigation, his application to proceed in forma pauperis is denied; and it is further

ORDERED that the Clerk shall close the file in this matter by making a new and separate entry on the docket reading "CIVIL CASE CLOSED."

s/Freda L. Wolfson

FREDA L. WOLFSON
United States District Judge